

# Continental Express



DEPT. OF TRANSPORTATION

85443

Qualification - Maintenance  
17795 bbl Kennedy Fieldview  
Houston TX 77037

June 14, 2000

U.S. Department of Transportation Dockets  
Docket No. FAA-2000-7119 - 15  
400 Seventh Street, SW  
Room Plaza 401  
Washington, DC 20590

Dear Sir:

In response to the proposed rule, Continental Express offers the following comments.

- After reading the justification in the NPRM for incorporation of the AED, it appears that the size of aircraft affected was an arbitrary decision. No mention is made of the size of aircraft involved in the "event report" used to collect data for the proposal but I speculate that the aircraft involved are at least 100 passenger capacity or larger. The proposal would affect aircraft with less than half this capacity and I submit that the exposure to an "event" in this size of aircraft is greatly reduced from sampled fleet. The added weight, unit expense, and use of scarce cabin space may render the smaller (50 passengers and less) aircraft unlikely candidates for this rule.

We have no real data to offer to support the above conclusion but couldn't discern from the NPRM justification whether smaller aircraft, operated under FAR 121, were considered for exclusion or not.

- The NPRM proposes to mandate compliance for all aircraft with greater than 7500 lbs. payload operated under Part 121. The only reference I can find for a definition of "payload" is in Advisory Circular 120-21C and 91-23A which defines it as zero fuel weight less basic operating weight. As zero fuel weight is a fixed number at type certification and basic operating weight is unique to individual aircraft, it is conceivable that a portion of a given aircraft type within an operator's fleet may be affected and the remaining not. I suggest that the applicability of this rule, and others like it, be driven by passenger seat capacity (a fixed value) versus a variable weight.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Donohue", with a stylized flourish at the end.

Steve Donohue  
Director, Technical Services